

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/20/2023

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

1979 FAMILY TRUST LICENSOR, LLC and
ROCKEFELLER & CO. LLC,

Plaintiffs,

-against-

MEHAL J. DARJI aka MEHAL
ROCKEFELLER and ROCKEFELLER
MANAGEMENT CO.,

Defendants.

Civil Action No. 1:19-cv-04389 (VEC)

**ORDER INSTRUCTING LINKEDIN
TO REMOVE/DISABLE INFRINGING ACCOUNT AND CONTENT**

WHEREAS, on May 14, 2019, Plaintiffs 1979 Family Trust Licensor, LLC and Rockefeller & Co. LLC (together, “Plaintiffs”) commenced this action against Defendants Mehal J. Darji aka Mehal Rockefeller and Rockefeller Management Co. (together, “Defendants”) based on Defendants’ use of the name and trademark ROCKEFELLER and asserted claims for federal trademark infringement, unfair competition, dilution, and cybersquatting under the Lanham Act, 15 U.S.C. §§ 1114(1), 1125(a), (c)-(d), and related claims under New York State common law and New York General Business Law § 360-1;

WHEREAS, on August 19, 2019, the Court entered default judgment (ECF No. 22, the “Default Judgment”) against Defendants and in favor of Plaintiffs on all claims and ordered, in relevant part, as follows:

- Paragraph 5: “Based on the facts alleged in the Complaint, Defendant Darji has knowingly, and without authorization from Plaintiffs, adopted the surname Rockefeller and is operating Defendant [Rockefeller Management Co.] under the trade names ROCKEFELLER MANAGEMENT CO., and ROCKEFELLER CAPITAL MANAGEMENT in connection with a financial services business and

has registered and used the domain names *rockefellermanagement.com* in connection with their financial services business.”

- Paragraph 7: “Plaintiffs are and will continue to be irreparably harmed absent the Court entering this Order.”
- Paragraph 8: “Judgment is entered for Plaintiffs and against Defendants on Plaintiffs’ claims for trademark infringement under 15 U.S.C. § 1114(1), unfair competition under 15 U.S.C. § 1125(a), dilution under 15 U.S.C. § 1125(c)(1), cybersquatting under 15 U.S.C. § 1125(d), trademark infringement and unfair competition under New York State common law, and dilution under N.Y. General Business Law § 360-1.”
- Paragraph 9: “Defendants, and any of their respective officers, agents, privies, shareholders, principals, directors, licensees, attorneys, servants, employees, affiliates, subsidiaries, successors and assigns, and all those persons in concert or participation with any of them, and any entity owned or controlled in whole or in part by Defendants, are hereby jointly and severally permanently enjoined and forever restrained from:
 - a) imitating, copying or making unauthorized use of the mark ROCKEFELLER, or any simulation, reproduction, copy, colorable imitation or confusingly similar variation of the ROCKEFELLER mark, including but not limited to the surname Rockefeller, ROCKEFELLER MANAGEMENT CO., ROCKEFELLER CAPITAL MANAGEMENT (any such mark, a “Prohibited Mark”), in or as part of any surname, corporate name, trademark, service mark, domain name, trade name, business name, fictitious name, or otherwise presenting any name that includes in whole or in part a Prohibited Mark on or in connection with any goods, businesses or services offered by Defendants or the advertising or promotion thereof;
 - b) using a Prohibited Mark to refer to or describe any products, goods or services offered by or on behalf of Defendants or any individual, entity or other third party affiliated with Defendants;
 - c) using a Prohibited Mark in or as part of any domain name, keyword, metatag, source code or other Internet search term, or otherwise using a Prohibited Mark on or in connection with any website owned or controlled by Defendants;
 - d) applying to register or registering in the United States Patent and Trademark Office, or in any state or other government trademark registry, any Prohibited Mark, including the ROCKEFELLER MANAGEMENT CO. and ROCKEFELLER CAPITAL MANAGEMENT marks;

- e) using a Prohibited Mark in connection with the promotion, advertisement, sale, offering for sale or the provision of any goods or services;
- f) engaging in any other activity constituting unfair competition with Plaintiffs or constituting an infringement of the ROCKEFELLER mark;
- g) diluting or tarnishing any of the ROCKEFELLER mark; or
- h) instructing, assisting, aiding or abetting any other person or entity in engaging in or performing any of the activities referred to in subparagraphs (a) through (g) above”;

WHEREAS, Plaintiffs moved for a finding of contempt against Defendants on July 22, 2020 (ECF Nos. 24-26, “Plaintiffs’ First Contempt Motion”) seeking an award of monetary damages for failure to comply with the Default Judgment, which the Court granted on September 14, 2020 (ECF No. 31);

WHEREAS, Plaintiffs moved for a second finding of contempt against Defendants on March 30, 2021 (ECF Nos. 36-38, “Plaintiffs’ Second Contempt Motion”) for failure to comply with the Default Judgment and the Court’s order granting Plaintiff’s First Contempt Motion;

WHEREAS, Plaintiffs moved for a renewed second finding of contempt against Defendants on April 4, 2023 (ECF Nos. 57-59, “Plaintiffs’ Renewed Second Contempt Motion”) for failure to comply with the Default Judgment and the Court’s order granting Plaintiff’s First Contempt Motion;

WHEREAS, on July 25, 2023, Plaintiffs filed a letter identifying a list of social media accounts, websites, and webpages that Plaintiffs believe were created by Defendants that violate the Default Judgment (*see* ECF No. 93, the “Ongoing Infringement Letter”);

WHEREAS, Defendant Darji alleges that he did not create – nor does he own or control – the social media accounts, websites, and webpages identified in the Ongoing Infringement Letter and that he was being falsely impersonated with respect to the foregoing;

WHEREAS, on July 28, 2023, Plaintiffs and Defendant Darji appeared for an in-person hearing on Plaintiffs' Renewed Second Contempt Motion, and the parties agreed – and the Court ordered the parties (*see* ECF No. 99, the “Remedial Order”) – to submit to the Court proposed consent orders instructing the service providers of the social media accounts, websites, and webpages identified in the Ongoing Infringement Letter to remove and/or disable the infringing accounts, websites, webpages, and email addresses;

WHEREAS, on August 22, 2023, the Court so-ordered the proposed consent orders instructing the service providers to remove and/or disable the infringing accounts, websites, webpages, and email addresses;

WHEREAS, Plaintiffs subsequently discovered a new LinkedIn profile (available at <https://www.linkedin.com/in/mustafa-kem%C3%A2l-g%C3%B6rm%C3%BC%C5%9F-54b07340/>) (the “Gormus LinkedIn Account”) that makes infringing use of the ROCKEFELLER mark in violation of the Default Judgment and is believed to be operated by Defendant Darji as further described in Plaintiffs' letter to the Court dated October 30, 2023 (ECF No. 116); and

WHEREAS, the Court, having considered the facts and legal arguments set forth in Plaintiff's Renewed Second Contempt Motion, the Ongoing Infringement Letter, and Plaintiffs' letter dated October 30, 2023, and having found that Defendants willfully, knowingly, and intentionally violated the terms of the Default Judgment, has determined that the relief provided herein is necessary and proper to compel Defendants to comply with the Default Judgment; and after due deliberation and sufficient cause appearing therefor;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Gormus LinkedIn Account, a true and correct copy of which is attached hereto as Exhibit 1, “mak[es] unauthorized use of the mark ROCKEFELLER . . . in or as part of

a[] surname, corporate name, trademark, service mark, domain name, trade name, business name, fictitious name” in violation of Paragraph 9(a) of the Default Judgment.

2. LinkedIn shall disable the Gormus LinkedIn Account and remove all content posted on or otherwise associated with the Gormus LinkedIn Account so that such content is no longer available, either publicly or privately.

3. LinkedIn shall use its best efforts to ensure that Defendants do not in the future create accounts or post content on the LinkedIn platform that violates the Default Judgment, including by disabling such accounts and/or removing such content if LinkedIn becomes aware of a violation.

4. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

5. This Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

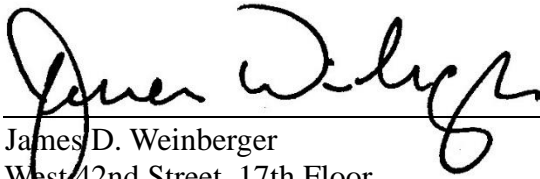
SO ORDERED this 20 day of November, 2023.



HONORABLE VALERIE E. CAPRONI
UNITED STATES DISTRICT COURT JUDGE

Submitted by:

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: 

James D. Weinberger
151 West 42nd Street, 17th Floor
New York, New York 10036
Telephone: (212) 813-5900
Email: jweinberger@fzllz.com

*Counsel for Plaintiffs 1979 Family Trust
Licensor, LLC and Rockefeller & Co. LLC*

Date: October 30, 2023

EXHIBIT 1



Home



My Network



Jobs



Messaging



Notifications



Me



For Business

[Try Premium](#)

Mustafa Kemâl GÖRMÜŞ · 3rd

Chairman - ROCKEFELLER & GORMUS HOLDINS

Rockefeller & Gormus Holdings

Istanbul Üniversitesi

Istanbul, Turkey · [Contact info](#)

www.rogcm.com

2,669 followers · 500+ connections

[+ Follow](#) [Message](#) [More](#)

Featured

ROCKEFELLER & GORMUS REAL ESTATE LTD STI
Rockefeller & Gormus Real Estate Ltd Sti
18/11/2021
Chairman & Partner

ROCKEFELLER & GORMUS Capital Management EuroAsia Africa...
ROCKEFELLER & GORMUS Capital Management EuroAsia Africa USA LP CHAIRMAN

WOR
WOR
DIRE

Activity

2,669 followers

[+ Follow](#)
[Posts](#)
[Comments](#)
[Videos](#)
[Images](#)

Mustafa Kemâl GÖRMÜŞ posted this · 1d



TÜRKÇE:

SON DAKİKA: Bitcoin dün Blackrock ETF'nin piyasaya sürü ...show more



5

1 comment

Mustafa Kemâl GÖRMÜŞ posted this · 1d



TÜRKÇE:

SON DAKİKA: Bitcoin dün Blackrock ETF'nin piyasaya sürü ...show more



Messaging





1 comment · 1 repos

Mustafa Kemâl GÖRMÜŞ posted this · 2d



TÜRKÇE:

SON DAKİKA: Bitcoin dün Blackrock ETF'nin piyasaya sürü ...show more



1 comment · 2 repost

Show all posts →

About

PRECIOUS METALS , INTERNATIONAL FINANCE , MONEY, OIL and POLITIC
(Diamond,gold,platinum,palladium)
(Money Transfer , Exchange and Financial Instruments)
(Pharmaceutical industry)...

...see more

Experience



Chairman

Rockefeller & Gormus Holdings · Full-time
Sep 2022 - Present · 1 yr 2 mos
New Jersey, Birleşik Devletler · On-site



Chairman

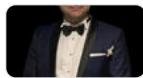
ROCKEFELLER & GORMUS REAL ESTATE · Full-time
Nov 2021 - Present · 2 yrs
On-site



Chairman

ROCKEFELLER GORMUS CAPITAL MANAGEMENT EUROASIA AFRICA USA LP
· Full-time
Aug 2020 - Present · 3 yrs 3 mos
New Jersey, Birleşik Devletler · Remote

Skills: Chairman · Partner



MEMBER BOARD OF DIRECTORS

WORLD BANK CURRENCY INC · Full-time
Dec 2020 - Present · 2 yrs 11 mos
99 Wall St., Suite 1616 New York, NY. 10005



CHAIRMAN & OWNER

KALEİÇİ GIDA TURİZM İNŞAAT KUYUMCULUK PETROL SANAYİ VE TİCARET
LİMİTED ŞİRKETİ · Self-employed
Oct 2005 - Present · 18 yrs 1 mo
Atatürk M.Ataşehir Blv ErtuğrulGazi Sk. Metropol İst. Site N:78 A Blok K:10
D:161



Show all 13 experiences →

Education





Istanbul University
Elektrik ve Elektronik Mühendisliği

Volunteering



ISTANBUL PROVINCIAL PRESIDENT OF YOUTH BRANCHES

Anavatan Partisi
Aug 1998 - Jan 2000 · 1 yr 6 mos
Politics



PRESIDENT OF YOUTH BRANCHES

Trakya ve Rumeli Kültür Dayanışma Derneği
Jun 1996 - Present · 27 yrs 5 mos
Arts and Culture

Show all 6 volunteer experiences →

Skills

Chairman



Chairman at ROCKEFELLER GORMUS CAPITAL MANAGEMENT EUROASIA AFRICA USA LP

3 endorsements

Partner



Chairman at ROCKEFELLER GORMUS CAPITAL MANAGEMENT EUROASIA AFRICA USA LP

4 endorsements

Show all 26 skills →

Recommendations

Received

Given

Nothing to see for now

Recommendations that Mustafa Kemâl receives will appear here.

Languages

Türkçe

Native or bilingual proficiency

İngilizce

Show all 3 languages →

Interests

Companies

Groups

Newsletters

Schools



IBM

15,434,728 followers

+ Follow



Oracle

9,083,998 followers



[+ Follow](#)[Show all companies →](#)

People also viewed

**David Rothschild** · 3rd

CEO, Co-Chief Investment Officer at Rothschild Capital Partners, LLC

[Message](#)**Hakan Ozalpay** · 3rd

Rockefeller Gormus Holdings LLC

[Message](#)**Dr. Rajiv J. Shah** · 2nd

President at The Rockefeller Foundation

[+ Follow](#)**Gianluca N.** · 3rd

Ambassador of: Empire of David, P.A.N.A. , Commonwealth Entrepreneurs Club, World Peace Tracts. Coordinatore Nazionale ed Internazionale presso...

[Connect](#)**Valerie Rockefeller** · 3rd

Rockefeller Philanthropy Advisors accelerates philanthropy in pursuit of a just world.

[Message](#)[Show all](#)

People you may know

From Mustafa Kemâl's school

**Danny marcia**

Student at Istanbul University

[Connect](#)**Mehmet KALE**

Kale Hukuk|Danışmanlık|Arabuluculuk şirketinde Avukat

[Connect](#)**Muhammed Raşit ASAN**

Attorney At Law

[Connect](#)

**Sila Yilmabas**

--

[Connect](#)**Gökhan TUNÇ**

TMSF İştirak Daire Başkanlığı şirketinde Legal Affairs Specialist

[Connect](#)[Show all](#)**in LEARNING**

Add new skills with these courses, free for 24 hours

**How to Speak So People Want to Listen**

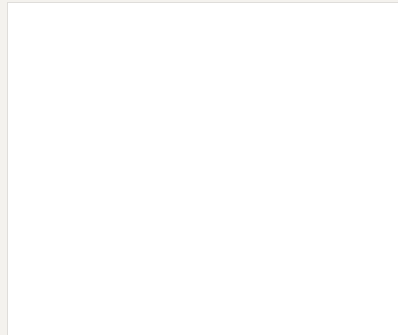
265,794 viewers

**Photo Tips and Tools Weekly**

8,312 viewers

**Speaking Confidently and Effectively**

803,784 viewers

[See my recommendations](#)[About](#)[Community Guidelines](#)[Privacy & Terms](#)[Sales Solutions](#)[Safety Center](#)[Accessibility](#)[Careers](#)[Ad Choices](#)[Mobile](#)[Talent Solutions](#)[Marketing Solutions](#)[Advertising](#)[Small Business](#)**?** **Questions?**[Visit our Help Center.](#)**Manage your account and privacy**[Go to your Settings.](#)**Recommendation transparency**[Learn more about Recommended Content.](#)

LinkedIn Corporation © 2023

